IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1679 OF 2004
IN
EXECUTION APPLICATION(L) NO.471 OF 2004
IN
AWARD DATED 19TH OCTOBER, 2002

M/s.Anugraha Entertainment. ..Plaintiff/applicant.

V/s.

Nazir Ahmed. ..Defendant/respondent.

Ms.Mamta Shah for plaintiff.

Mr.R.C.Kaushik for defendant.

CORAM: A.M.KHANWILKAR,J

DATE : OCTOBER 5, 2005.

P.C. :

1. After hearing counsel for the parties for some time, counsel for the Judgment debtor on instructions conceded that the Judgment debtor/respondent will pay total sum of Rs.7 Lakhs in monthly instalments. The first two instalments will be in the sum of Rs.1 Lakh each, to be followed by instalments of Rs.50,000/- every month thereafter till the amount of Rs.7 Lakhs is made over to the plaintiff/applicant. Respondent is personally present in the court and undertakes to abide by this assurance given across the bar through counsel.

2. In view of the offer made by the respondent, counsel for the applicant/plaintiff submits that no further order will be necessary in the present application. The chamber summons is therefore, disposed of, on accepting assurance given by the respondent that sum of Rs.7 Lakhs will be paid to the applicant/plaintiff towards full and final satisfaction of the decree in instalment as mentioned earlier.

3. It is agreed between the parties that every instalment will be paid on or before 10th of every English Calender month. It is also agreed that in case of even one default, arrangement arrived at between the parties will stand cancelled and the chamber summons be made absolute in terms of prayer clause (a) and (b). In addition, the applicant will be entitled to pursue the remedy of executing the decree as it stands, unaffected by the arrangement arrived at today before the court between the parties.

4. First instalment of Rs.1 Lakh will be due and payable on or before 15th October, 2005. On payment of last instalment, decree will stand marked "satisfied".